

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

ANTOINE POTEAT,	:	
Plaintiff,	:	
	:	
v.	:	No. 5:21-cv-03117
	:	
GERALD LYDON, <i>et al.</i> ,	:	
Defendants.	:	

O R D E R

AND NOW, this 7th day of January, 2022, upon consideration of Defendants' Motions to Dismiss, ECF Nos. 23 and 24, Plaintiff's response thereto, ECF No. 26, and for the reasons set forth in the Court's Opinion issued this date, **IT IS HEREBY ORDERED THAT:**

1. Defendants' Motions to Dismiss, ECF Nos. 23 and 24, are **GRANTED**.
 - a. Plaintiff's Fourth Amendment claim, Count I, and false imprisonment claim, part of Count IV, are **DISMISSED with prejudice** as against all Defendants.
 - b. The remainder of Plaintiff's claims—Count II, Count III, the remainder of Count IV, and Count V—are **DISMISSED without prejudice** as against all Defendants.
2. **On or before January 20, 2022**, Plaintiff is permitted leave to file an amended complaint as to only those claims dismissed without prejudice.

BY THE COURT:

/s/ Joseph F. Leeson, Jr.
JOSEPH F. LEESON, JR.
United States District Judge